



**DAVID DOUGLAS WINTERS**

B.S., M.S., D.L.L., J.D.  
PATENT ATTORNEY

*Ifw*

05 July 2005

United States Department of Commerce  
United States Patent and Trademark Office  
Commissioner for Patents  
ATTN: Tania C. Courson, USPTO Examiner  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Ms. Courson,

Enclosed please find for your files a record of the telephone conversation between  
Patent Attorney, David Douglas Winters and Patent Examiner, Tania C. Courson.

Very respectfully,

David Douglas Winters  
USPTO Registration #50746

2277-C SUITE 237, WILMA RUDOLPH BLVD  
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Record of Telephone Conversation

FROM: David Douglas Winters, 931-906-4445

TO: USPTO, Patent Examiner  
Tania C. Courson, 571-272-2239

SUBJECT: Office Action Confirmation #5101 of 01 Dec 2004 (12/01/2004)

WITH REFERENCE TO: US App #10/772,039

MY COMMENTS: Rejection is based on previous Richter application comprising a gyroscope.

But, the present application has no gyroscope.

It uses gravity sensors as does plumb bob or bubble level. Gyro does not sense gravity.

EXAMINER COMMENTS: OK, but both are accelerometers.

So, best remove any references to "inertial accelerometers" as components to make it allowable.

Also, re-look all over to be sure that representations and displays are clearly only that.

Maybe say "graphically displayed bubble level" for example. Not just "bubble level."

Make it clear there is no actual "bubble level."

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